

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 4/30/2025

300 Tamarack Road
Summit, New York 12175
(518) 257-6428

April 29, 2025

Hon. Analisa Torres
U.S. District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-131210 Broad Street

RE: *Adria English-Marcey v. Combs, et al.*, 24-cv-5090

Dear Judge Torres:

I am part of the new team representing Plaintiff Adria English-Marcey in the above-referenced action and write pursuant to the April 23, 2025 Order of this Court (Dkt. No. 79). Along with lead counsel Daniel R. Smalls, Esq., my Notice of Appearance was just filed on April 24, 2025.

As the Court is well aware, this case has had a convoluted history to date, and new Plaintiff's counsel has been making every effort to come up to speed in order to expeditiously litigate this matter. Obviously, new counsel was not a party to the initial letters exchanged between prior counsel and Defense counsel pursuant to Your Honor's Individual Rule III.B.ii. Because new counsel has just appeared in this matter, we respectfully request either a re-exchange of initial letters between Defense counsel and new counsel, or additional time to address in greater detail the issues raised by the Defendants in their March 10, 2025 letter to the Court.

Our initial review of Defendants' March 10th letter indicates that the five bases for Defendants' proposed motion, as set forth in that letter, are meritless. Nevertheless, new counsel would like a brief period of time to address these

issues first with Defense counsel vis-à-vis new initial letters under Individual Rule III.B.ii, and/or possibly amend the Complaint pursuant to that same Individual Rule. We respectfully believe that this could bring this case back onto a smooth track, and possibly eliminate the need for the Court's intervention.

Additionally, should the Court want a further elaboration of Plaintiff's current position with respect to Defendant's proposed motion to dismiss, new counsel respectfully requests a short extension of time to do so.

Thank you for the Court's consideration of this matter.

Respectfully submitted,
/s/ Jeffrey S. Shelly

Jeffrey S. Shelly, Esq., Bar No. JS1991

GRANTED. By **May 16, 2025**, Plaintiff shall file a response to Defendants' pre-motion letter, ECF No. 67, or otherwise seek leave to amend the complaint.

SO ORDERED.

Dated: April 30, 2025
New York, New York



ANALISA TORRES
United States District Judge